

13 September 1973

JMM:

OMB has asked us to reconsider our earlier draft report on two bills which would provide additional retirement benefits for persons who were in a POW or MIA status in light of a DOD report on these bills which they have cleared.

We have redrafted our report and rewritten a covering letter to OMB for your signature. I suggest that we keep our report in draft form until we get OMB's approval and then send it to the DCI for signature.

This revision has been cleared with OGC.

A handwritten signature in dark ink, appearing to be 'JMM' or similar, located in the lower right quadrant of the page.

CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

14 September 1973

Mr. James Hyde
Office of Legislative Reference
Office of Management and Budget
Washington, D. C. 20503

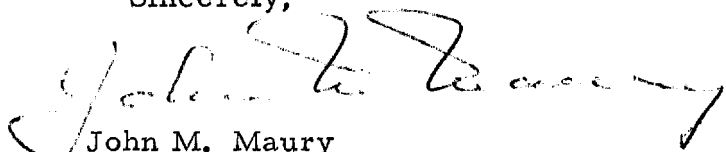
Dear Mr. Hyde:

This is in response to your request that we reconsider our report on H. R. 6364 and H. R. 4294, in light of the Defense Department's report on H. R. 6364.

We do not feel there was any inconsistency in the two reports; however, we have revised our report to make it abundantly clear that we are not taking a position on the merits of the legislation. Our report noted our preference on H. R. 4294 over H. R. 6364, merely on the basis that if there were to be a change in concept concerning creditable service for retirement, it should have across the board application to all Federal staff retirement systems.

In view of the above, your advice is requested on our report as revised.

Sincerely,



John M. Maury
Legislative Counsel

Enclosure:
Revised Report

DRAFT: 14 Sept. 1973

The Honorable F. Edward Hebert, Chairman
Committee on Armed Services
House of Representatives
Washington, D. C. 20515

Dear Mr. Chairman:

This is in response to your request for our views and recommendations on H. R. 4294 and H. R. 6364 which provide additional retirement benefits for certain members of the Armed Forces and for certain Federal employees.

Both bills authorize additional service credit for retirement equal to the time spent as a prisoner of war or in a missing person status in Southeast Asia during the Vietnam conflict. While both bills apply to military members of the Armed Forces, H. R. 4294 covers all Federal employees and H. R. 6364 is limited to Central Intelligence Agency employees covered by the CIA Retirement Act of 1964 for Certain Employees.

We take no position on the merits of these proposals; however, we do feel that if legislation of this nature is to be enacted it should be applied equitably to both military personnel and all civilian employees and not limited to those who serve under a particular Federal staff retirement system. Without such uniform application, inequities could arise in a single agency, such as CIA where some employees are

covered by the Civil Service system and others by the CIA retirement system. [For this reason, we feel that H. R. 4294 ^{would avoid such} is the more desirable of the two bills.] *inequities.*

In addition, we note that while the legislation applies to former military members, it does not apply to former civilian employees. [If *We are not aware of any reason for such a* the legislation is acted upon, *distinction.* it is recommended that it be amended to extend its benefits to former civilian employees.]

The Office of Management and Budget advises that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

W. E. Colby
Director